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Department of Transportation and Mario Gomez

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

EDWARD E. SEELY,
Plaintiff,

vs.

NEVADA STATE PUBLIC WORKS
DIVISION, INDIVIDUALS BRENTON
MARSHALL AND JOHN/JANE DOES (1-
20); NDOT INDIVIDUALS MARIO
GOMEZ P.E., JOHN/JANE DOES (1-20),
Defendants.

Case No.: 2:20-cv-02109-CDS-VCF

**STIPULATION AND ORDER TO
EXTEND TIME TO RESPOND TO
MOTION TO DISMISS OR, IN THE
ALTERNATIVE, MOTION TO QUASH
[ECF. 44] (FIRST REQUEST)**

Pursuant to Local Rule IA 6-1, Defendant, Mario Gomez, P.E., by and through counsel, Aaron D. Ford, Attorney General of the State of Nevada, and Steven M. Goldstein, Senior Deputy Attorney General, Attorneys for Defendant, Mario Gomez of the State of Nevada ex rel. Department of Transportation, sued solely in his individual capacity, Susan K. Stewart, Deputy Attorney General, Attorneys for Brenton Marshall of the Public Works Division, and Plaintiff Edward E. Seely, in proper person, respectfully submits the following Stipulation and Order to Extend Deadline to File Response to Motion to Dismiss, or in the Alternative, Motion to Quash [ECF. 44]. This Stipulation is the first request for such an extension and is entered by the parties in good faith and not for the purpose of delay.

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A. Reasons why the Deadlines Were not Satisfied

Defendant, Mario Gomez, filed a Motion to Dismiss, or in the Alternative, Motion to Quash [ECF. 44] (hereinafter “Motion”) on July 7, 2022. Given the current timing for the filing of an opposition and reply Defendant’s counsel’s schedule results in conflicts that do not allow for a reply brief to be timely filed. Accordingly, Defendant has requested additional time to file the Reply in Support of Motion. After communications with Plaintiff, the parties agreed that Plaintiff would also receive an extension to file his Opposition to Motion. As a result, the parties have agreed and stipulated to, a short extension of time to file the opposition and reply deadlines.

B. Proposed Schedule

The parties propose that the following current deadlines be extended by 7 days:

1. The current deadline for Plaintiff’s Opposition to Motion is July 22, 2022, and with the requested extension the new deadline for Plaintiff’s Opposition to Motion is July 29, 2022.

2. The current deadline for Defendant’s Reply in Support of Motion is July 29, 2022, and with the requested extension the new deadline for Defendant’s Reply in Support of Motion is August 5, 2022.

For the foregoing reasons, the Defendant, Mario Gomez, and Plaintiff, Edward Seely, hereby stipulate to the above extensions.

DATED this 15th day of July, 2022.

DATED this 15th day of July, 2022.

AARON D. FORD
Attorney General

AARON D. FORD
Attorney General

/s/ Susan K. Stewart
Susan K. Stewart (Bar No. 9914)
Deputy Attorney General
*Attorneys for Defendants,
Public Works Division*

/s/ Steven M. Goldstein
Steven M. Goldstein (Bar No. 6318)
Senior Deputy Attorney General
*Attorneys for State of Nevada, ex rel.
Department of Transportation and
Defendant, Mario Gomez*

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Seely v. Nevada State Public Works et al.
2:20-cv-02109-CDS-VCF

DATED this 14th day of July, 2022

/s/ Edward E. Seely
Edward E. Seely
453 N. 11th Street, Spt. B
Las Vegas, NV 89101

ORDER

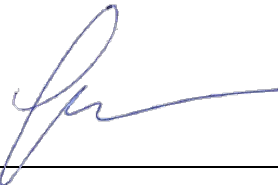
Based on the foregoing stipulation of the parties, the deadlines outlined above shall be extended as follows:

1. The current deadline for Plaintiff's Opposition to Motion is July 22, 2022, and with the requested extension the new deadline for Plaintiff's Opposition to Motion is July 29, 2022.

2. The current deadline for Defendant's Reply in Support of Motion is July 29, 2022, and with the requested extension the new deadline for Defendant's Reply in Support of Motion is August 5, 2022.

IT IS SO ORDERED.

DATED this July 15, 2022.


UNITED STATES DISTRICT JUDGE